

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

ARY Jewelers, LLC.,	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 04:-CV-10281 EFH
	)	
IBJTC Business Credit Corp. and	)	
David Molinario,	)	
Defendants.	)	

**PLAINTIFF ARY JEWELERS, LLC.'S EXHIBIT LIST**

<b>NO.</b>	<b>DESCRIPTION</b>
1.	Loan and Security Agreement between Krigel's, Inc. ("Krigel's") and ARY Jewelers, LLC ("ARY") dated July 31, 1998
2.	Amendment No. One to the Loan and Security Agreement
3.	Amendment No. Two to the Loan and Security Agreement
4.	Third Amendment to Loan and Security Agreement
5.	Loan and Security Agreement between Krigel's, Inc. ("Krigel's") and ARY Jewelers, LLC ("ARY") dated January 23, 2001
6.	Stock Purchase Agreement ARY and Krigel's
7.	Assumptions to Forecast for Fiscal Year 2001-2002 and Projected financial statements (Exhibit 21 to Morgan Deposition taken May 21, 2001)
8.	December 5, 2000 email from Scott Krigel to ARY regarding deal (Exhibit 18 to Morgan Deposition taken May 21, 2001)
9.	December 13, 2000 email from Scott Krigel to ARY regarding deal (Exhibit 19 to Morgan Deposition taken May 21, 2001)
10.	December 15, 2000 Emergence Financing Proposal Letter from Foothill Capital to ARY
11.	January 5, 2001 email from Scott Krigel to ARY regarding DIP Proposal (Exhibit

20 to Morgan Deposition)

12. January 10, 2001 Emergence Financing Proposal Letter from Foothill to ARY
13. January 18, 2001 Letter from Max Jevinsky to Foothill requesting extending the December Proposal to April 1, 2001
14. January 24, 2001 Emergence Financing Proposal Term Sheet from IBJ Whitehall Retail Finance to ARY
15. January 30, 2001 letter agreement from Max Jevinsky to Foothill confirming that Foothill agreed to extend the expiration of the December Proposal to April 1, 2001
16. January 31, 2001 Emergence Financing Proposal Letter from Foothill Capital to ARY
17. February 1, 2001 email from Scott Krigel to ARY forwarding January 31, 2001 Emergence Proposal Letter from Foothill
18. Documents transmitted by facsimile from David Molinario of IBJTC to Foothill Capital, including a series of internet articles regarding allegations against ARY principal Mr. Razzak and/or his brother
19. February 28, 2001 letter from IBJ to ARY informing ARY that IBJ will not proceed with the financing proposal "based upon an unsatisfactory background investigation of ARY Traders."
20. March 19, 2001 Letter from Krigel's to Foothill plus exhibits (Projected Financing Statements) (Exhibit 22 to Morgan Deposition taken May 21, 2001)
21. March 20, 2001 Emergence Financing Proposal Letter from Foothill Capital to ARY
22. March 20, 2001 Letter from ARY to Foothill regarding December Proposal
23. March 20, 2001 emails between Tom Morgan and Steve Cole regarding financing
24. March 21, 2001 Letter from Krigel's to Foothill commenting on March 20, 2001 Emergence Financing Proposal
25. March 27, 2001 Emergence Financing Proposal Letter from Foothill Capital to ARY

26. April 5, 2001 Letter from Sandy Krigel to Foothill stating that ARY would close the Krigel's deal if Foothill would offer to ARY same financing terms that Krigel's had in November, 2000
27. April 5, 2001 Letter from ARY to Krigel's explaining basis for ARY's inability to consummate transaction
28. Financial Statements and Spreadsheets for Krigel's (Exhibit 17 to Morgan Deposition taken on May 21, 2001)
29. Deposition of Thomas Morgan (including all exhibits, some or all of which have been previously listed herein) taken on May 21 and 22, 2001
30. Expert witness report from Ijaz-Ul-Ahsan (plus exhibits)
31. Expert witness report from Thomas Bonville (plus exhibits)
32. Expert witness report from John Baerst (plus exhibits)
33. Expert witness report from Barry Pickens (plus exhibits)
34. Expert witness report from Shirley Webster (plus exhibits)

Dated November 20, 2006

Respectfully submitted,

**THE CARRIGAN LAW FIRM, L.L.P.**

By: /s/ Stephen P. Carrigan /s/ by Jill L. Groff  
Stephen P. Carrigan (Admitted Pro Hac Vice)  
State Bar No. 03877000  
Federal I.D. 6112  
2 Houston Center  
909 Fannin, Suite 1575  
Tel. (713) 739-0810  
Fax. (361) 739-0821  
***Attorney-in-Charge for Plaintiff***

OF COUNSEL:

Jill L. Groff (Admitted Pro Hac Vice)  
The Carrigan Law Firm, L.L.P.  
2 Houston Center  
909 Fannin, Suite 1575  
Houston, Texas 77010  
(713-729-0810 (telephone))

Ashish Mahendru BBO#647661  
Mahendru, P.C.  
1111 Bagby, Suite 2000  
Houston, Texas 77002  
(713) 571-1519 (telephone)  
(713) 651-0776 (facsimile)

(713) 739-0821 (facsimile)  
*Of Counsel for Plaintiff*

*Of Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of Plaintiff's Exhibit List was served to each person listed below by certified mail, return receipt requested, facsimile and/or hand delivery on the 20th day of November, 2006.

Robert S. Fischler  
Ropes & Gray, LLP  
45 Rockefeller Plaza  
New York, New York 10111

Christopher R. Dillon  
Kate Cimini  
Ropes & Gray, LLP  
One International Place  
Boston, MA 02110-2624

/s/ Stephen P. Carrigan, /s/ by Jill L. Groff  
Stephen P. Carrigan/Jill L. Groff